



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Christopher Marx - Planner I

DATE: January 29, 2016

SUBJECT: **Plan Case 2271-M-16:** A request by the City of Urbana Zoning Administrator to change the zoning of a number of properties in the City. The proposed zoning map amendments will change the zoning to be consistent with the Future Land Use Maps in the City's Comprehensive Plan or to reflect their current use.

Introduction and Background

The Zoning Administrator is requesting a multipart Map Amendment to the Urbana Zoning Map, to include several changes of zoning for properties in the City. City Staff have identified 11 properties throughout the City that would be appropriate for a change in zoning from their current districts to ones that better match their current uses and future land use designations in the Urbana Comprehensive Plan.

The majority of the parcels are publicly-owned and the City departments or public agencies managing the properties have all expressed support for their rezoning. Several of the properties are under the jurisdiction of the Urbana Park District, while several others are maintained by the Urbana Public Works Department. One property is owned by the Champaign-Urbana Mass Transit District. The one privately-owned parcel has been given the support and cooperation from its property owner for a rezoning.

These proposed zoning changes are separate from the annual update to the Official Zoning Map required by Illinois state law.

Discussion

The following is a summary of the properties that have been proposed to be rezoned:

1107 East Florida Avenue

The subject property contains several apartment buildings and is primarily zoned R-5, Medium High Density Multiple-Family Residential. Its future land use designation is Multifamily. The southern portion of the property, approximately 1.4 acres in size, is zoned CRE, Conservation-Recreation-Education, and is adjacent to Crestview Park. It is occupied by three apartment buildings which the

property owner, Parkside Partners LLC, intend to continue using for multi-family residential housing. The southwest portion of the property, approximately 0.36 acres in size, is zoned R-2, Single-Family Residential and contains a driveway, building setback, and parking. Under the proposed rezoning, the entire property would be zoned R-5, Medium High Density Multiple-Family Residential since it does not contain park space or single family homes.

501 East Windsor Road

The subject property is home to Meadowbrook Park and zoned R-1, Single Family Residential. The park is spread over several parcels that are zoned CRE, Conservation-Recreation-Education. The subject property is the parcel in the southeastern portion of the park and is zoned R-1, Single-Family Residential. The future land use designation and current use are both park space which support the request for the property to be rezoned to CRE, Conservation-Recreation-Education.

909, 911, 913, and 915 North Lincoln Avenue

The subject properties are all part of King Park and were once single-family homes connected to a larger subdivision. In recent years, the homes were demolished and the space was absorbed into the park, either under Urbana Park District ownership or as part of a long-term lease with the City. The properties are zoned R-2, Single-Family Residential and would be rezoned to CRE, Conservation-Recreation-Education. The future land use designation and current use is Park for the properties at 911, 913, and 915 North Lincoln. The future land use designation for the property at 909 North Lincoln Avenue is Community Business, but its current use is park land that is leased by the Park District from the City which owns.

610 South Glover

The subject property is a City-owned, vacant lot that is zoned R-4, Medium Density Multiple-Family Residential and once housed several mobile homes which have since been removed. The City's Public Works Department would like to use the site for maintenance or storage purposes in the future. The property is proposed to be rezoned to IN-1, Light Industrial/Office to allow this purpose, match neighboring properties, and to match the future land use designation of Light Industrial.

1603 East Washington Street

The subject property is a long vacant, City-owned lot that is zoned B-3, General Business with a future land use designation of Residential. The space is currently used as a community garden by a local neighborhood group. The future land use designation for the property is Residential and the rezoning would change its district to R-5, Medium High Density Multiple-Family Residential to match adjacent zoning and to possibly allow affordable housing use in the future, consistent with its purchase by the City through use of grant funding.

1210 East University Avenue

The subject property is owned by the City and is zoned CRE, Conservation-Recreation-Education. The site holds the Landscape Recycling Center, a firing range for the Police Department, and a building used for some of the services of the City's Arbor Division. The proposed rezoning to AG – Agricultural would make the property consistent with the neighboring parcel to the east that is used for the same purposes.

1407 North Lincoln Avenue

The subject property holds a station for the Urbana Fire Department and is zoned R-2, Single-Residential with a future land use designation of Institutional. The proposed rezoning of the parcel to B-3, General Business would accommodate the fire department station use while also matching neighboring B-3 properties to the North and South along Lincoln Avenue.

1101 East University Avenue

The subject property is the headquarters for the Champaign-Urbana Mass Transit District (CUMTD) and is zoned B-3, General Business with a future land use designation of Heavy Industrial. The headquarters for CUMTD spreads over several parcels which are zoned IN-1, Light Industrial/Office. The subject property is currently occupied by CUMTD, but remains zoned at B-3 from a previous business use. Rezoning the parcel from B-3 to IN-1 would accommodate the transit district at that location while making the property's zoning designation consistent with neighboring industrial properties and future land use plans.

Zoning Map Amendment Summary Table

Address	Proposed Rezoning	Land Use	Future Land Use Designation	Ownership	Reason for Rezoning
1107 East Florida Avenue	R-5, CRE, R-2 to R-5	Apartments	Multifamily	Parkside Partners LLC	Consistency with land use, no single family homes or park space on parcel
501 East Windsor Road	R1 to CRE	Park	Park	Urbana Park District	Consistency with land use, parcel serves as park space
909 North Lincoln Avenue	R2 to CRE	Park	Community Business	City of Urbana	Consistency with land use, parcel serves as park space along with neighboring parcels
911 North Lincoln Avenue	R-2 to CRE	Park	Park	City of Urbana	Consistency with land use, parcel serves as park space
913 North Lincoln Avenue	R-2 to CRE	Park	Park	Urbana Park District	Consistency with land use, parcel serves as park space
915 North Lincoln Avenue	R-2 to CRE	Park	Park	Urbana Park District	Consistency with land use, parcel serves as park space
610 South Glover Avenue	R-4 to IN-1	Vacant Space	Light Industrial	City of Urbana	Consistency with land use, allows for future use of public maintenance or storage shed
1603 East Washington Street	B-3 to R-5	Community Garden	Residential	City of Urbana	Preserves vacant lot for potential future housing and future use designation consistency
1210 East University Avenue	CRE to AG	Landscape Recycling Center	Heavy Industrial	City of Urbana	Accommodates continued use of the landscape recycling center
1407 North Lincoln Avenue	R-2 to B-3	Fire Department Station	Institutional	City of Urbana	Accommodates for current and future use of fire department station and matches adjacent properties
1101 East University Avenue	B-3 to IN-1	CUMTD Headquarters	Heavy Industrial	Champaign-Urbana Mass Transit District	Consistency with MTD headquarters use and that of surrounding area

The La Salle Criteria

In the case of *La Salle National Bank v. County of Cook* (the “La Salle” case), the Illinois Supreme Court developed a list of factors that are paramount in evaluating the legal validity of a zoning classification for a particular property. Each of these factors will be discussed as they pertain to a comparison of the existing zoning with that proposed by the Petitioner.

1. The existing land uses and zoning of the nearby property.

This factor relates to the degree to which the existing and proposed zoning districts are compatible with existing land uses and land use regulations in the immediate area.

The proposed zoning for 1107 East Florida Avenue, 501 East Windsor Road, 1603 East Washington Street, 1407 North Lincoln, 1101 East University Avenue, 1210 East University Avenue, 610 South Glover Avenue, and 909-915 North Lincoln Avenue would all be compatible with surrounding zoning and land use. For each property, the intensity of use for the surrounding area would not be changed. The zoning would be consistent for the current land use and adjacent properties of the same district.

2. The extent to which property values are diminished by the restrictions of the ordinance.

This is the difference in the value of the property in its existing zoning district and the value it would have if it were rezoned to the proposed zoning district.

The properties of 501 East Windsor Road, 1603 East Washington Street, 1407 North Lincoln, 1101 East University Avenue, 1210 East University Avenue, 610 South Glover Avenue, and 909-915 North Lincoln Avenue are publically owned and will continue to provide city services.

1107 East Florida Avenue would benefit from the entire property being correctly zoned for its current use of multi-family residential.

It should be noted that City Planning Division staff are not qualified as professional appraisers and that a professional appraiser has not been consulted regarding the impact of zoning on the value of the property. Therefore, any discussion pertaining to specific property values should be considered speculative.

3. The extent to which the ordinance promotes the health, safety, morals or general welfare of the public. (see No. 4 below)

4. The relative gain to the public as compared to the hardship imposed on the individual property owner.

The questions here apply to the current zoning restrictions: do the restrictions promote the public welfare in some significant way so as to offset any hardship imposed on the property owner by the restrictions?

The rezonings of the properties will not jeopardize the health, safety, morals or general welfare of the public. For the public properties at 501 East Windsor Road, 1603 East Washington Street, 1407 North Lincoln, 1101 East University Avenue, 1210 East University Avenue, 610 South Glover Avenue, and 909-915 North Lincoln Avenue, the public welfare is not advanced by the inconsistency between the current zoning and existing land use. The proposed rezoning would benefit the public welfare since the public services provided by those properties would be better reflected by the rezoning. The current CRE and R-2 zoning for the property at 1107 East Florida Avenue does not benefit the public welfare.

5. The suitability of the subject property for the zoned purposes.

The issue here is whether there are certain features of the property which favor the type and intensity of uses permitted in either the current or the proposed zoning district.

The subject properties in public use at 501 East Windsor Road, 1603 East Washington Street, 1407 North Lincoln, 1101 East University Avenue, 1210 East University Avenue, 610 South Glover Avenue, and 909-915 North Lincoln Avenue are generally used for a public service and are most suitable for their existing uses. The land used by the Park District is suitable because of the adjacent park land properties and public access. The land used by the Public Works Department and Transit District would be suitable because of their adjacency to transportation corridors and other properties serving a similar purpose. The proposed zoning for those properties would allow the properties to continue to be suitable for their uses. The property at 1107 East Florida would be suitable as most of the property is already zoned R-5.

6. The length of time the property has been vacant as zoned, considered in the context of land development, in the area, in the vicinity of the subject property.

Another test of the validity of the current zoning district is whether it can be shown that the property has remained vacant for a significant period of time because of restrictions in that zoning district.

The properties at 501 East Windsor Road and 909-915 North Lincoln Avenue are in park space. The property at 1603 East Washington has been undeveloped under its current B-3 zoning but is in current use as a community garden. The property of 610 South Glover Avenue has been temporarily vacant following removal of mobile homes with the intention of City maintenance use. The other properties are not vacant.

Summary of Findings

1. The Zoning administrator has submitted a petition for a multipart map amendment to the Urbana Zoning Map for 11 properties at 107 East Florida Avenue, 501 East Windsor Road, 1603 East Washington Street, 1407 North Lincoln, 1101 East University Avenue, 610 South Glover Avenue, and 909, 911, 913, and 915 North Lincoln Avenue.

2. The properties would be rezoned from their existing designation to ones that are more appropriate for their current use and future land use designation in the Urbana Comprehensive Plan.

3. The proposed zoning map amendment would correct inconsistencies in the Zoning Map and allow for better administrative management of the subject properties.
4. The proposed zoning map amendment is consistent with the 2005 Urbana Comprehensive Plan.
5. The proposed zoning map amendment generally meets the LaSalle criteria.

Options

The Plan Commission may choose to forward the amendment in whole or with specific suggested changes. If the Plan Commission feels that a certain zoning change requires additional analysis and discussion, a separate Plan Case can be created and discussed at a later meeting.

The Plan Commission has the following options for recommendation to the Urbana City Council regarding Plan Case 2271-M-16. The Plan Commission may:

- a) Forward this case to City Council with a recommendation for approval as presented herein;
- b) Forward this case to City Council with a recommendation for approval as modified by specific suggested changes; or
- c) Forward this case to City Council with a recommendation for denial.

Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend **APPROVAL** of the proposed multipart Map Amendment to the Zoning Map in its entirety, as presented herein. Staff recommends that the Urbana Plan Commission.

Attached:

Exhibit A: 1603 East Washington Map

Exhibit B: 1407 North Lincoln Avenue Map

Exhibit C: 1101 East University Avenue Map

Exhibit D: 610 South Glover Avenue Map

Exhibit E: 909, 911, 913, 915 North Lincoln Avenue Map

Exhibit F: 1107 East Florida Avenue Map

Exhibit G: 501 East Windsor Road Map

Exhibit H: 1210 East University Avenue Map

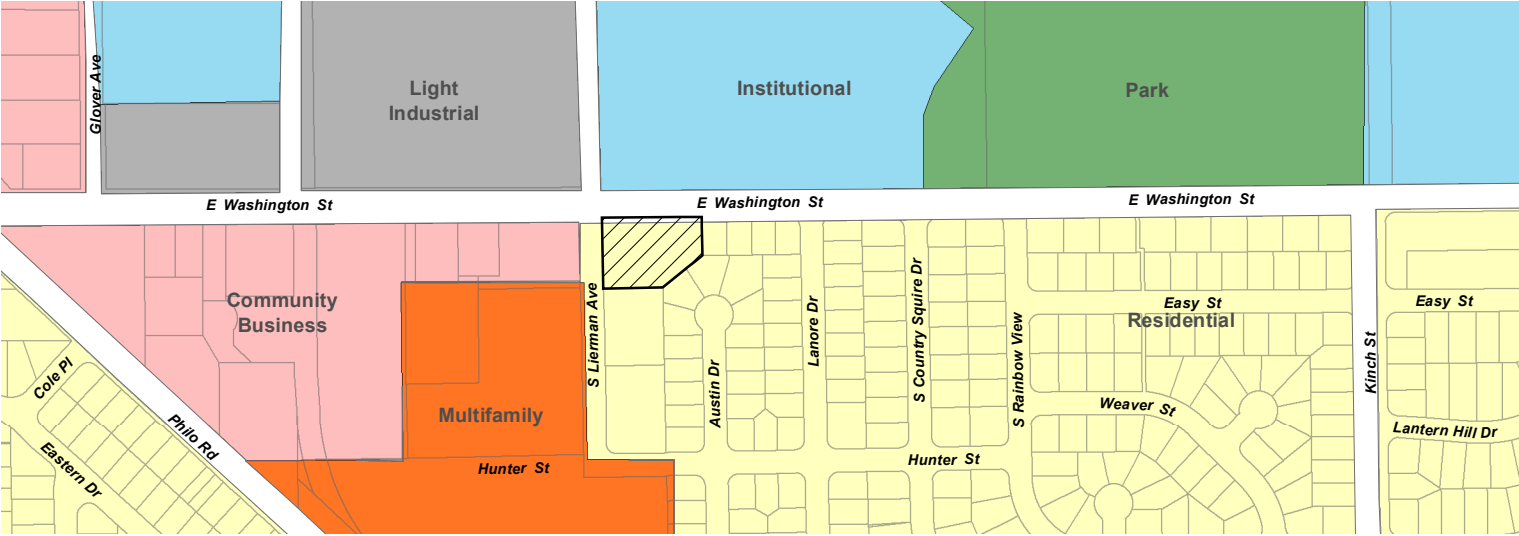
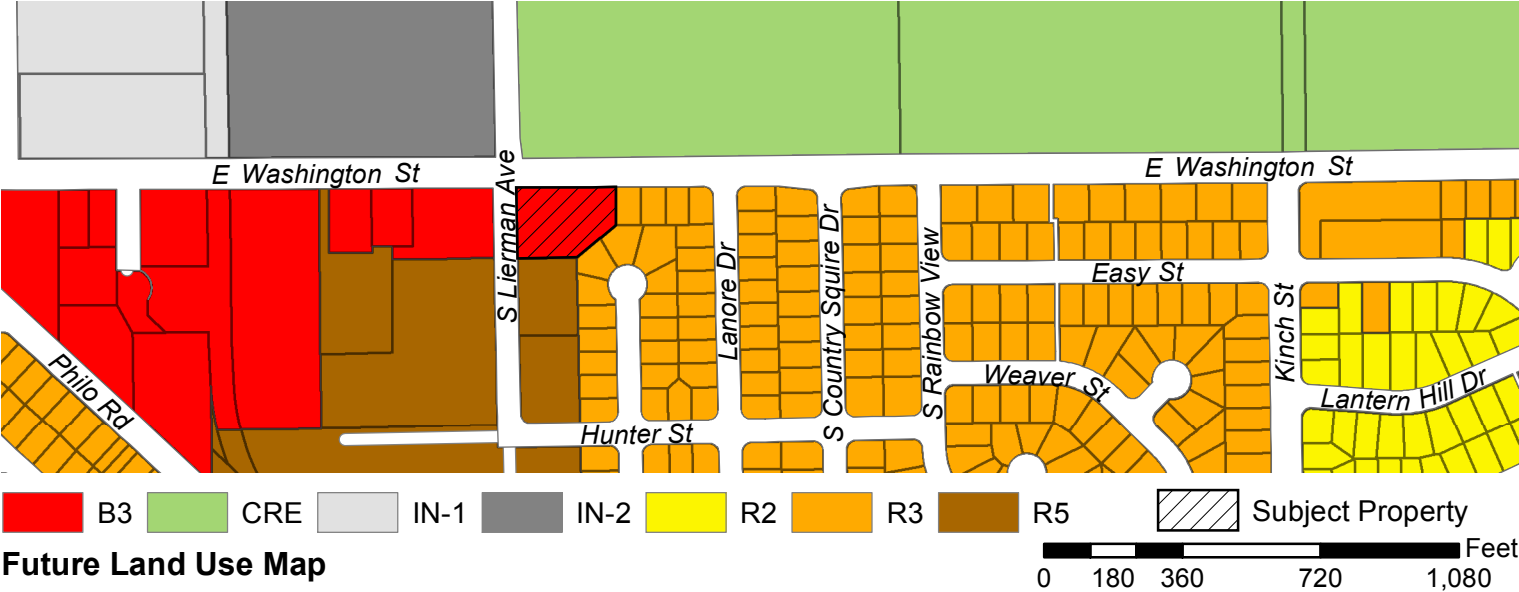
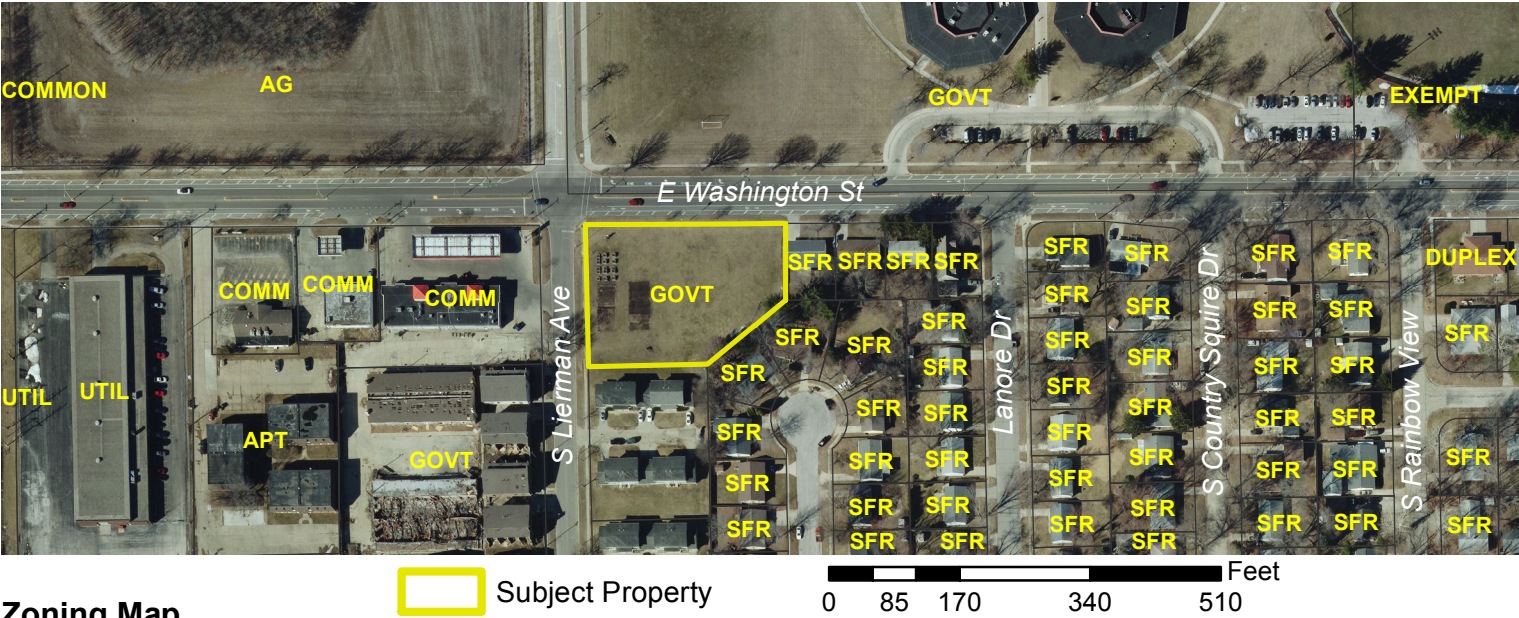
CC: Urbana Park District

Champaign-Urbana Mass Transit District

Parkside Partners LLC

Urbana Public Works

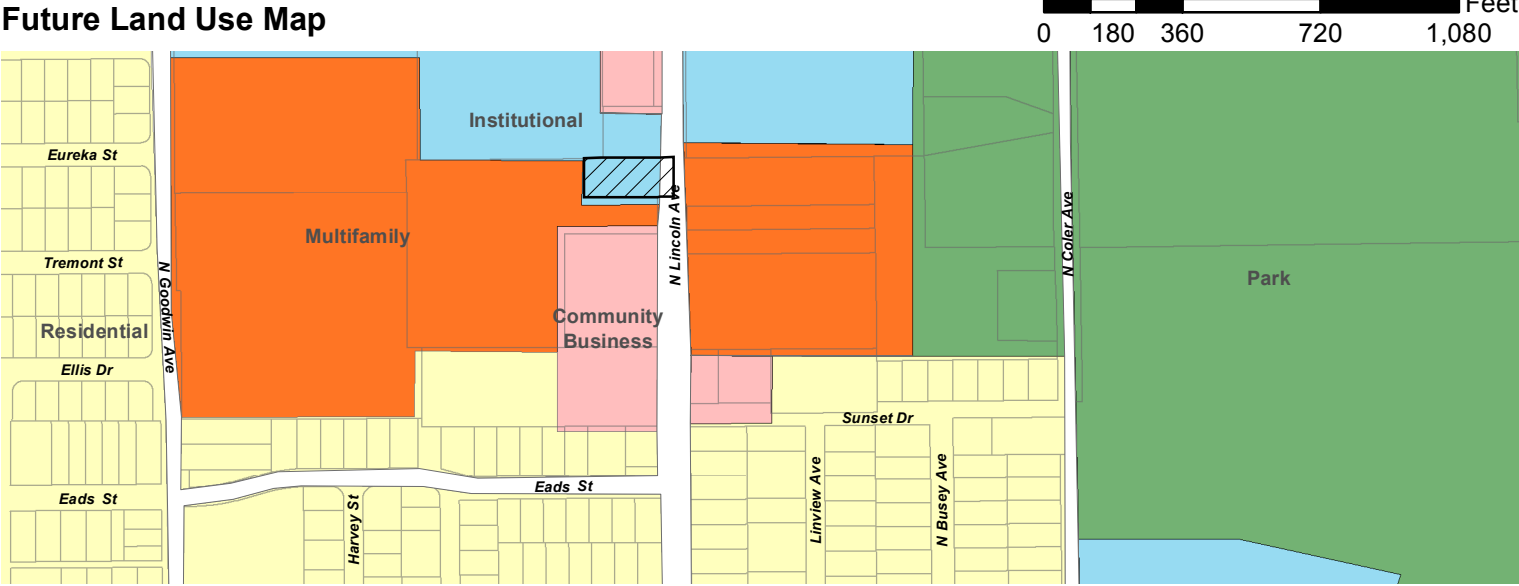
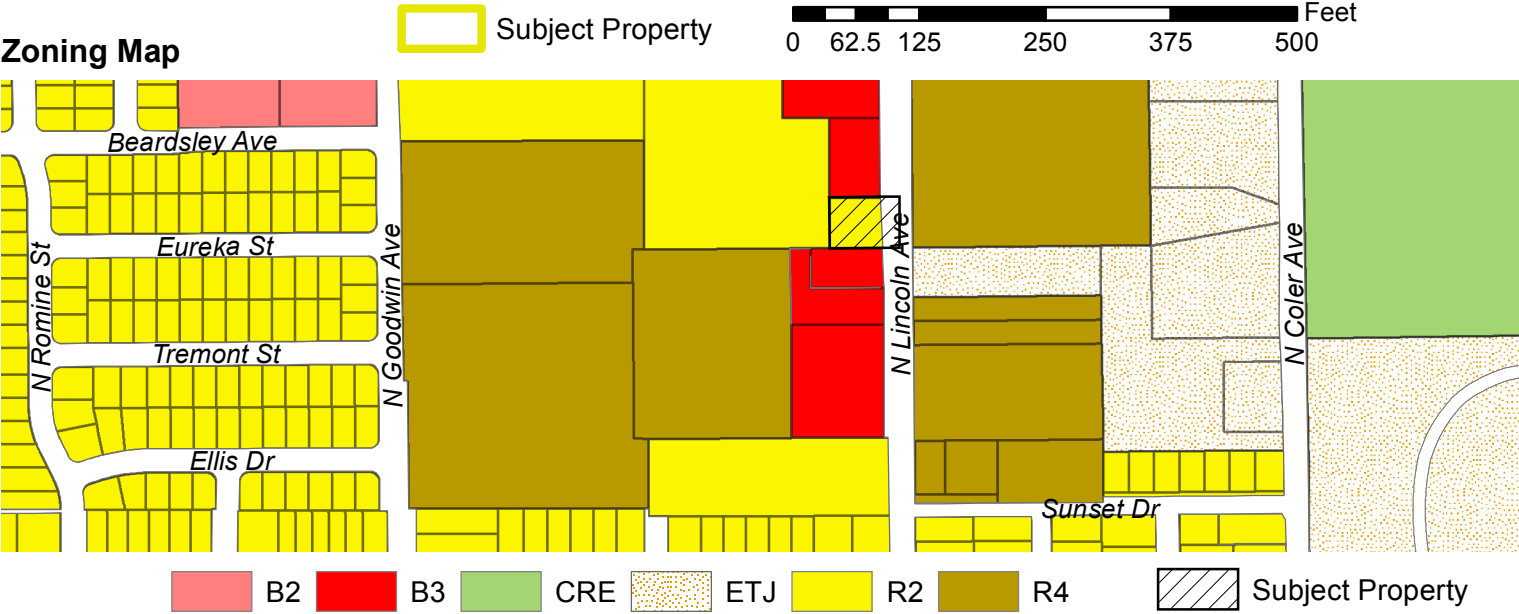
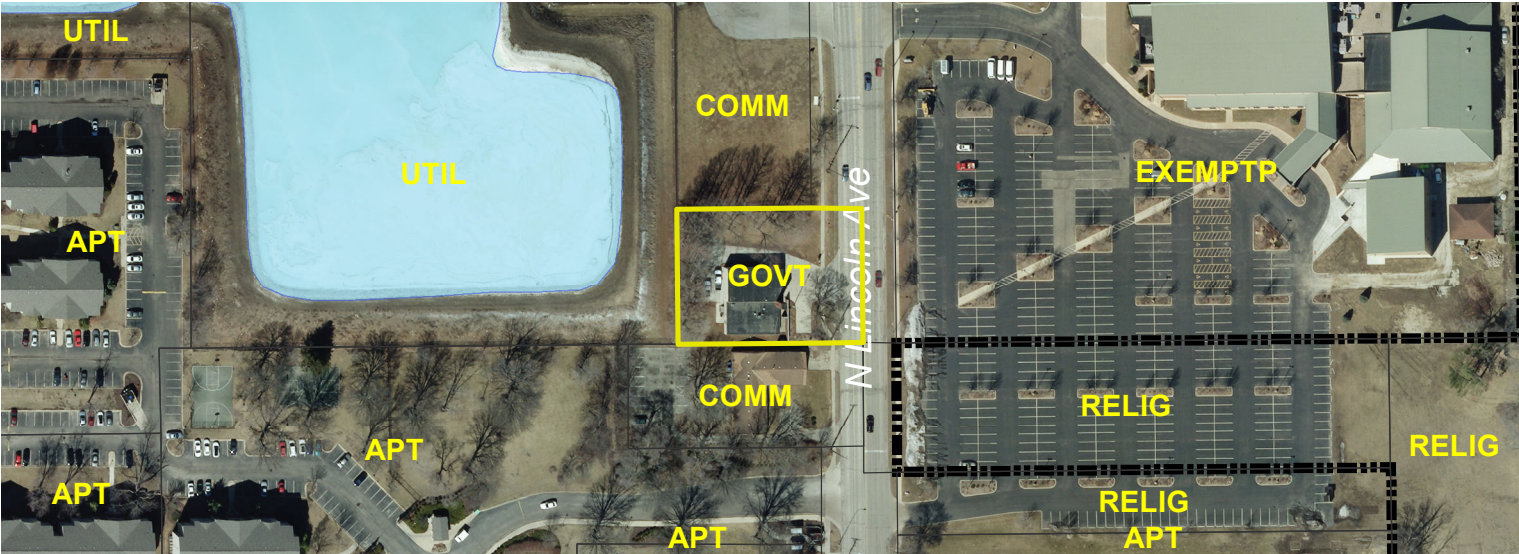
Exhibit A: 1603 East Washington Street Location and Existing Land Use Map



Case: 2271-M-16
 Subject: Rezoning from B-3 to R-5
 Location: 1603 East Washington Avenue
 Petitioners: Urbana Zoning Administrator

Subject Property
 Residential
 Multi-Family Residential
 Community Business
 Light Industrial/Office
 Institutional
 Park

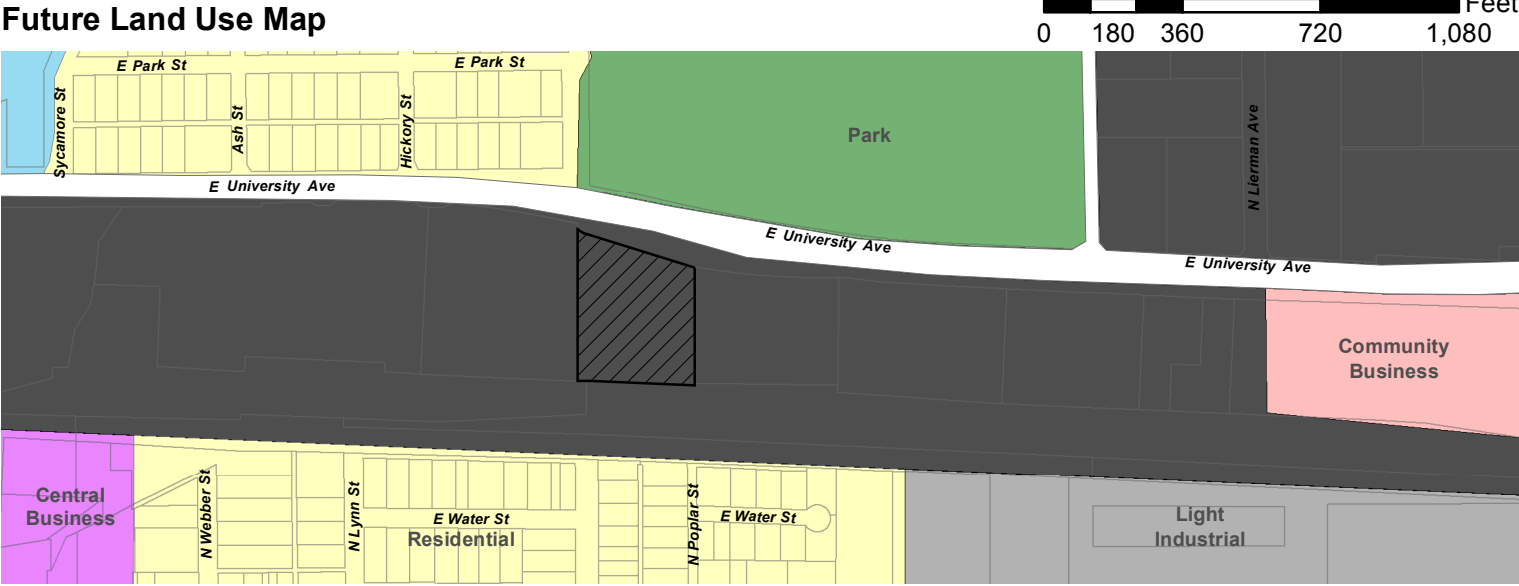
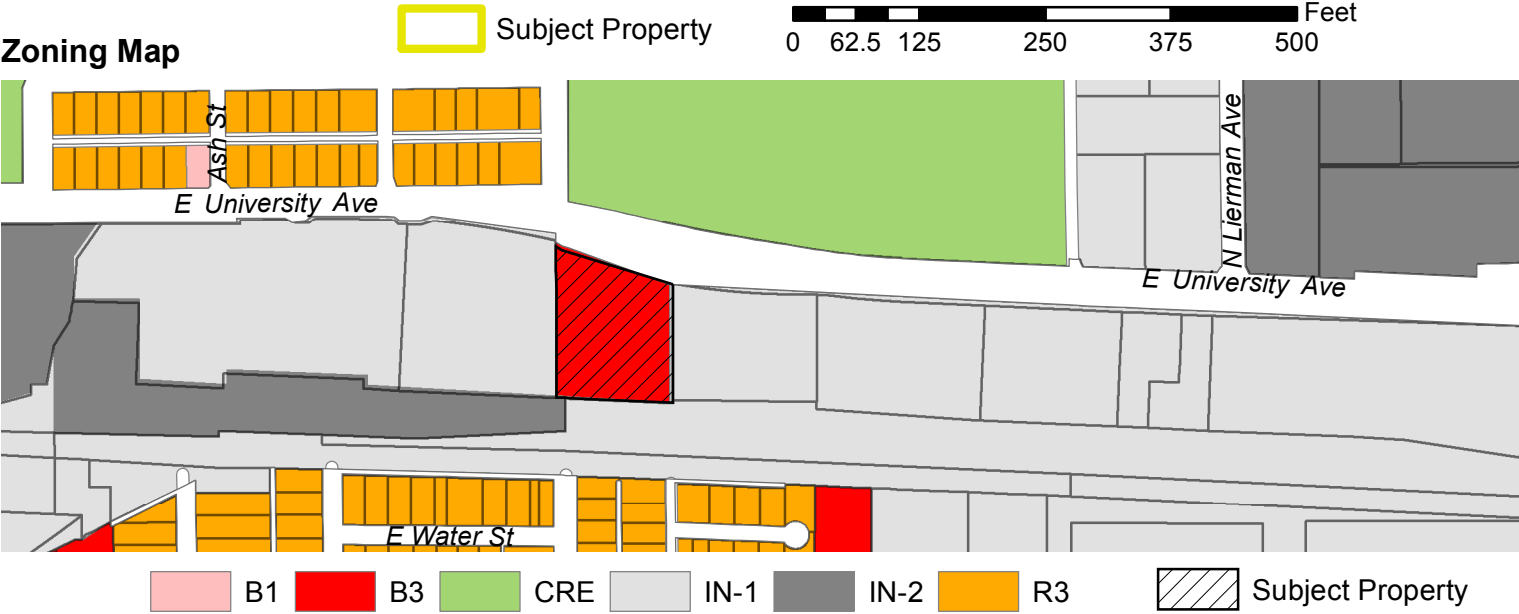
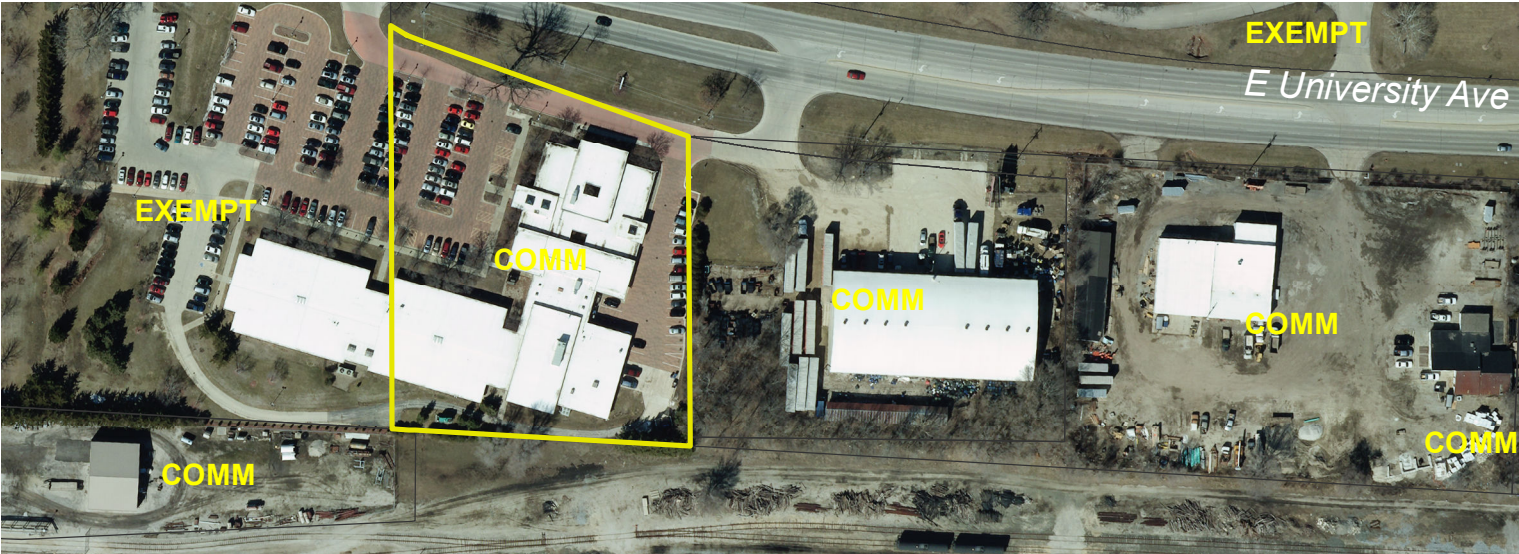
Exhibit B: 1407 North Lincoln Avenue
Location and Existing Land Use Map



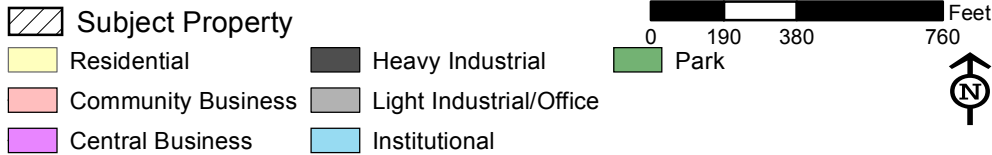
Case: 2271-M-16
Subject: Rezoning from R-2 to B-3
Location: 1407 North Lincoln Avenue
Petitioners: Urbana Zoning Administrator



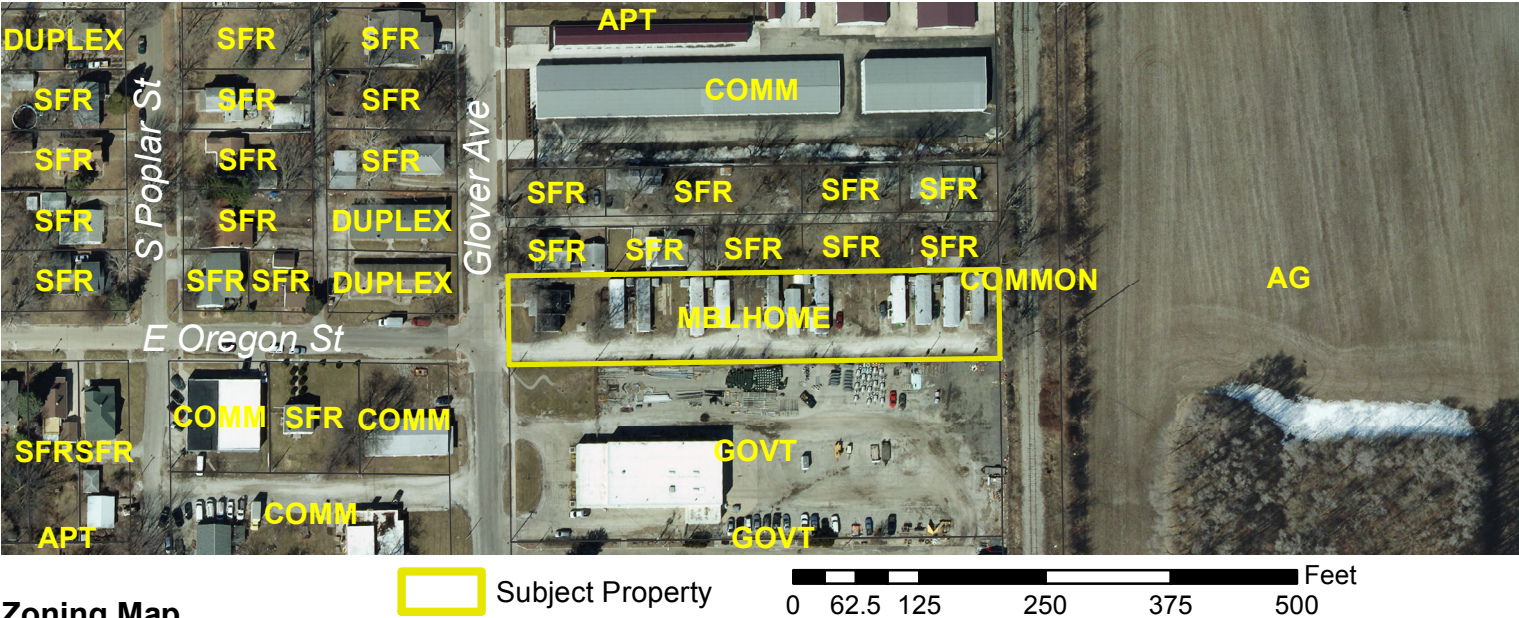
Exhibit C: 1101 East University Avenue
Location and Existing Land Use Map



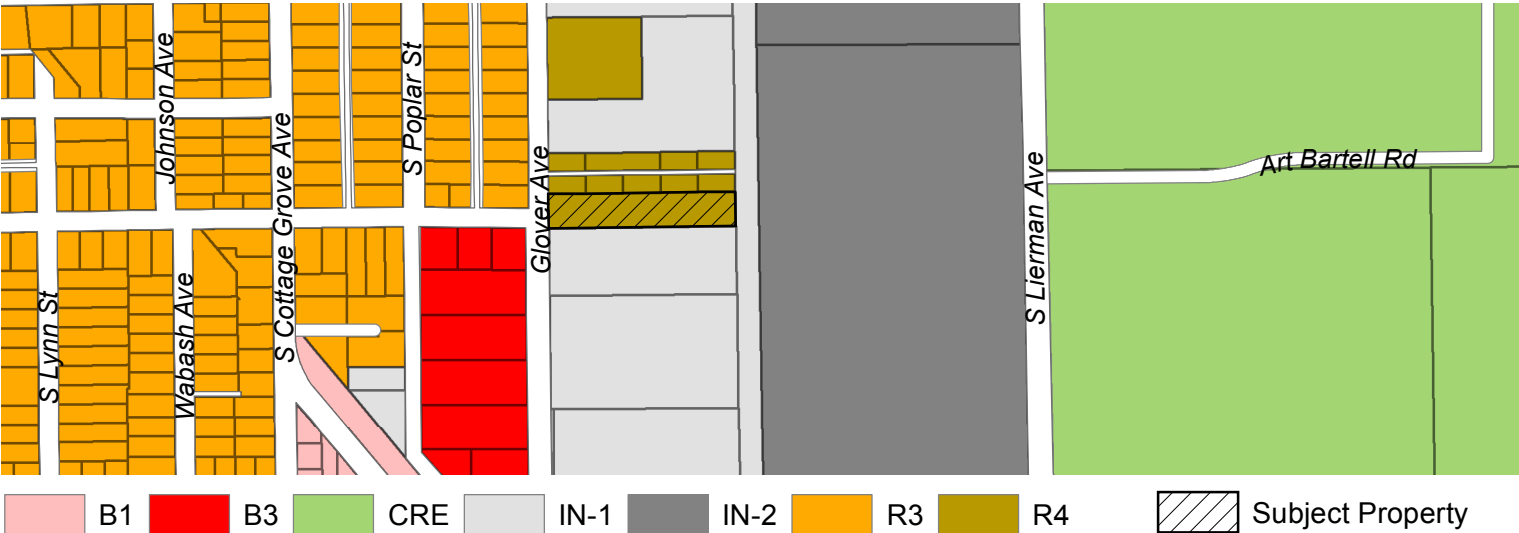
Case: 2271-M-16
Subject: Rezoning from B-3 to IN-1
Location: 1101 East University Avenue
Petitioners: Urbana Zoning Administrator



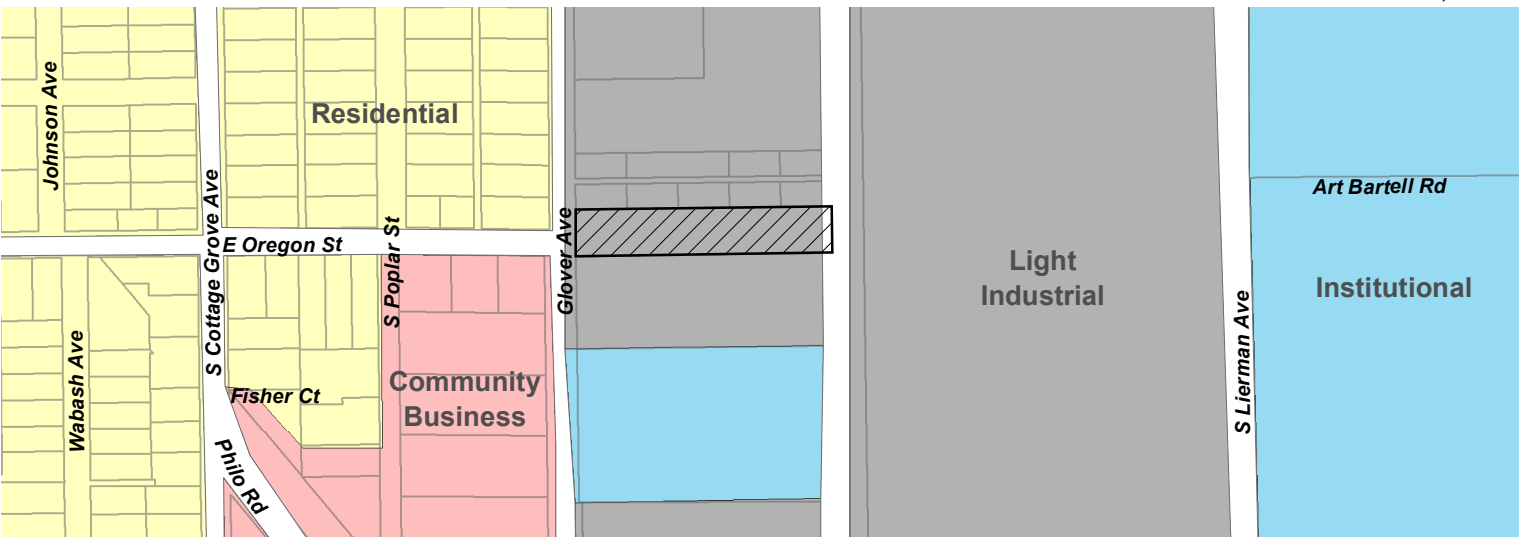
**Exhibit D: 610 South Glover Avenue
Location and Existing Land Use Map**



Zoning Map



Future Land Use Map



Case: 2271-M-16
Subject: Rezoning from R-4 to IN-1
Location: 610 South Glover Avenue
Petitioners: Urbana Zoning Administrator

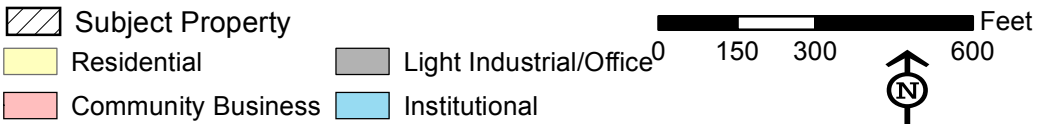
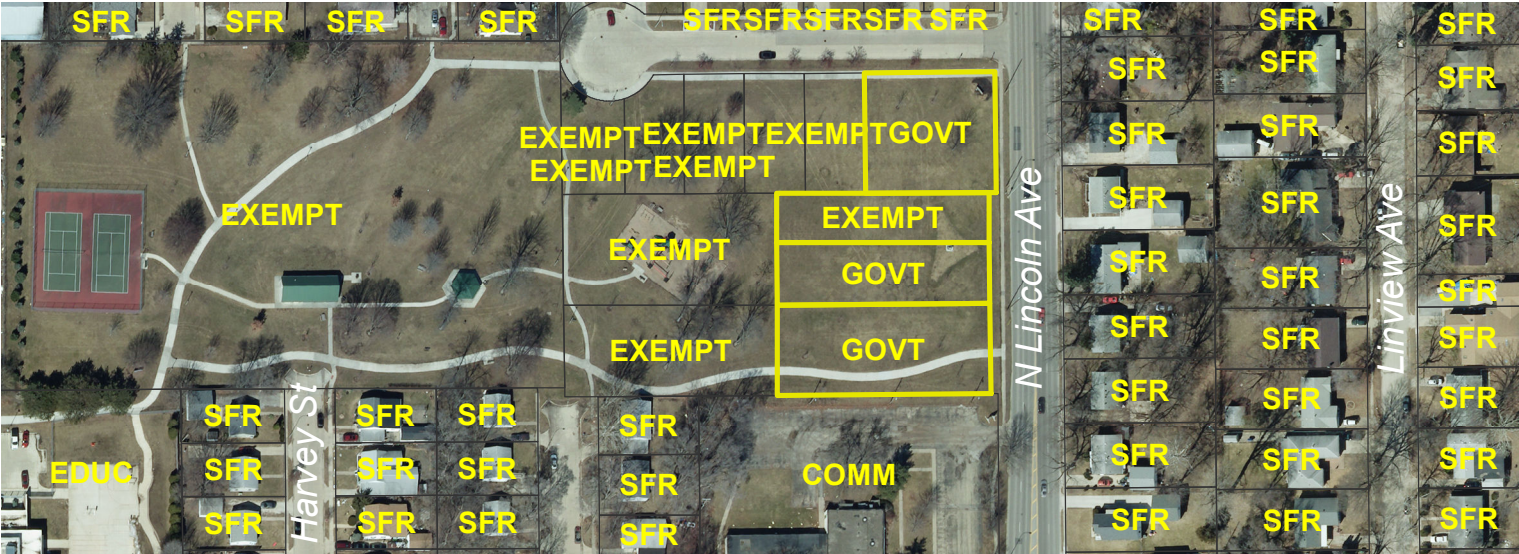
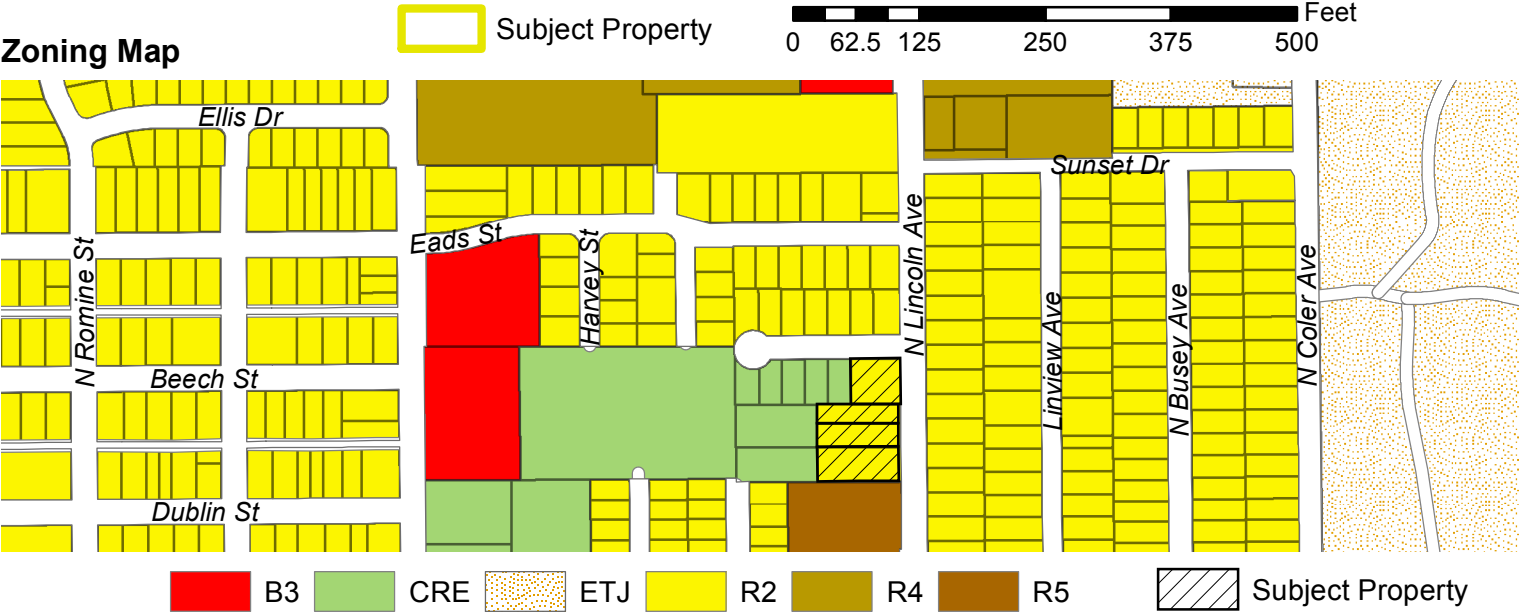


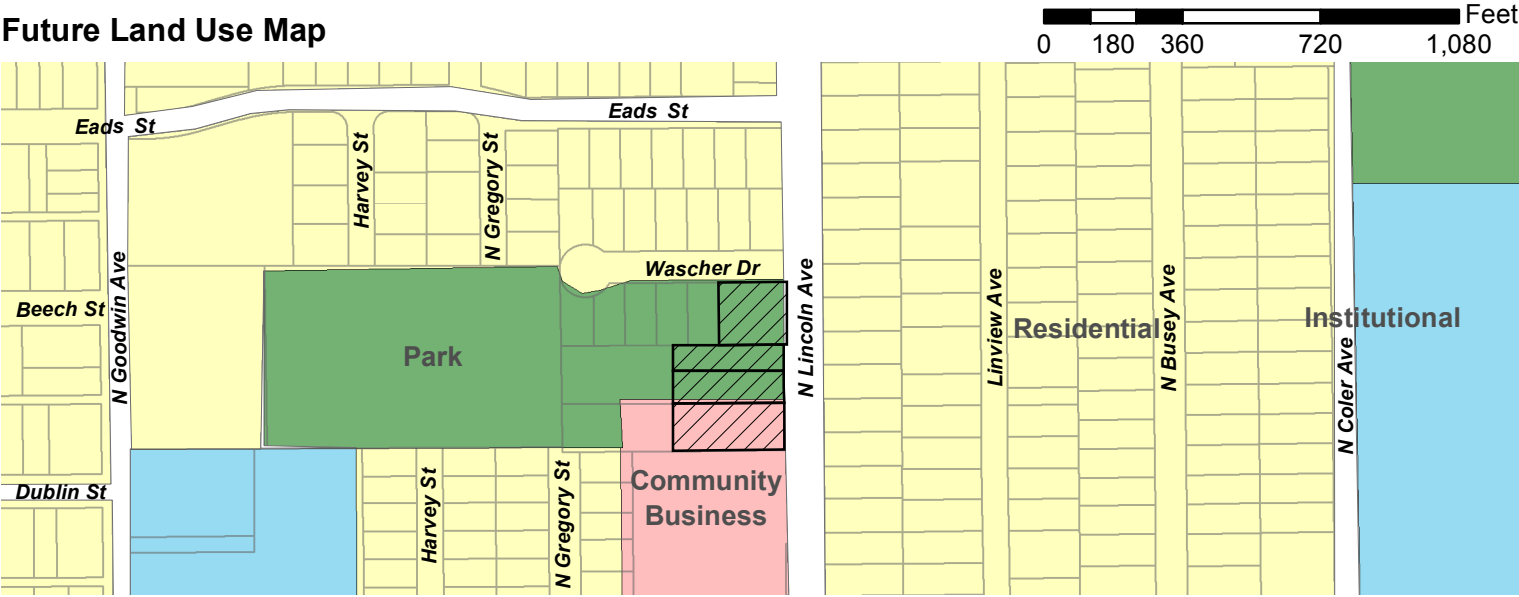
Exhibit E: 909, 911, 913, 915 North Lincoln Avenue
Location and Existing Land Use Map



Zoning Map



Future Land Use Map



Case: 2271-M-16
Subject: Rezoning from R-2 to CRE
Location: 909-915 North Lincoln Avenue
Petitioners: Urbana Zoning Administrator

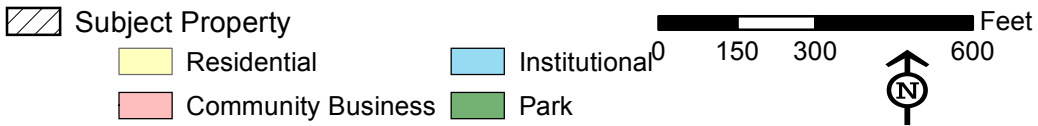
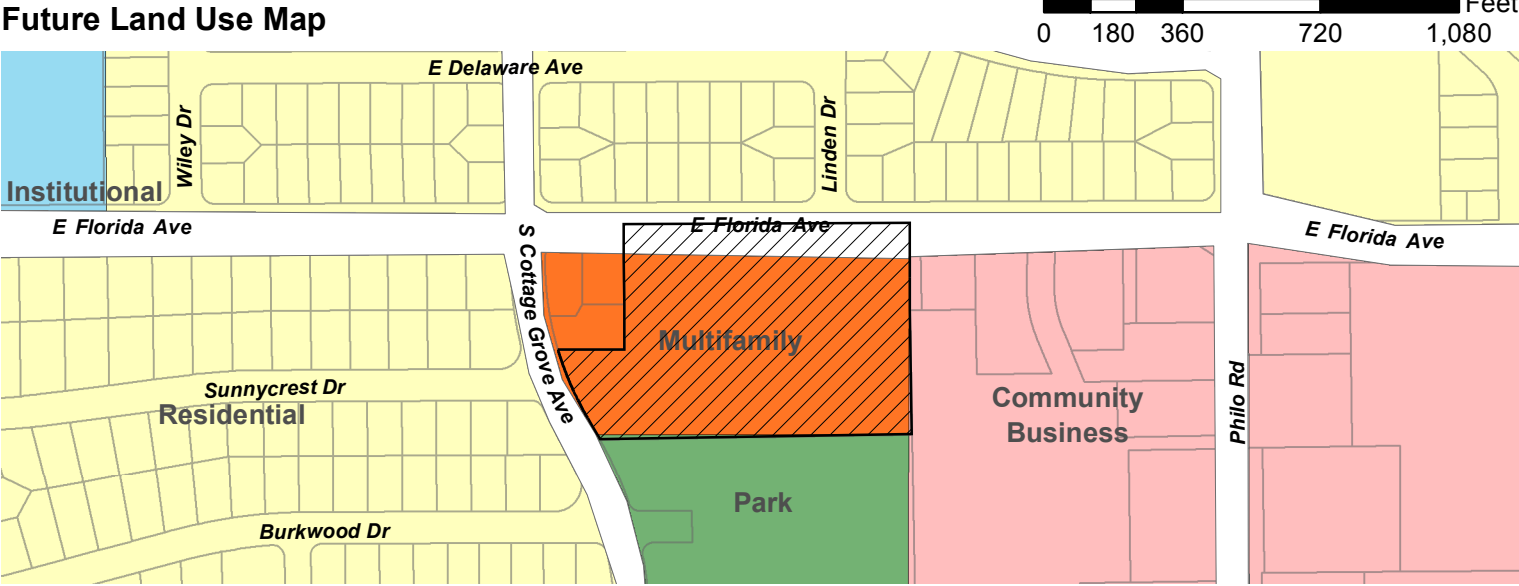
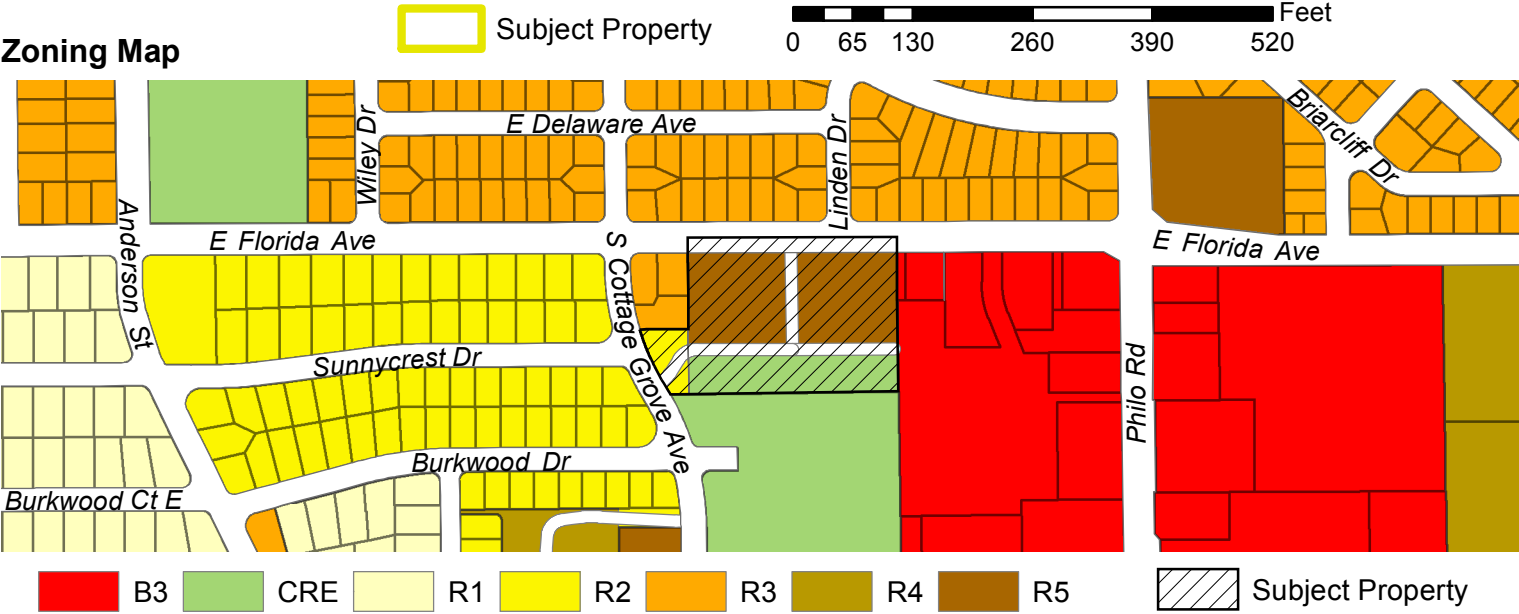
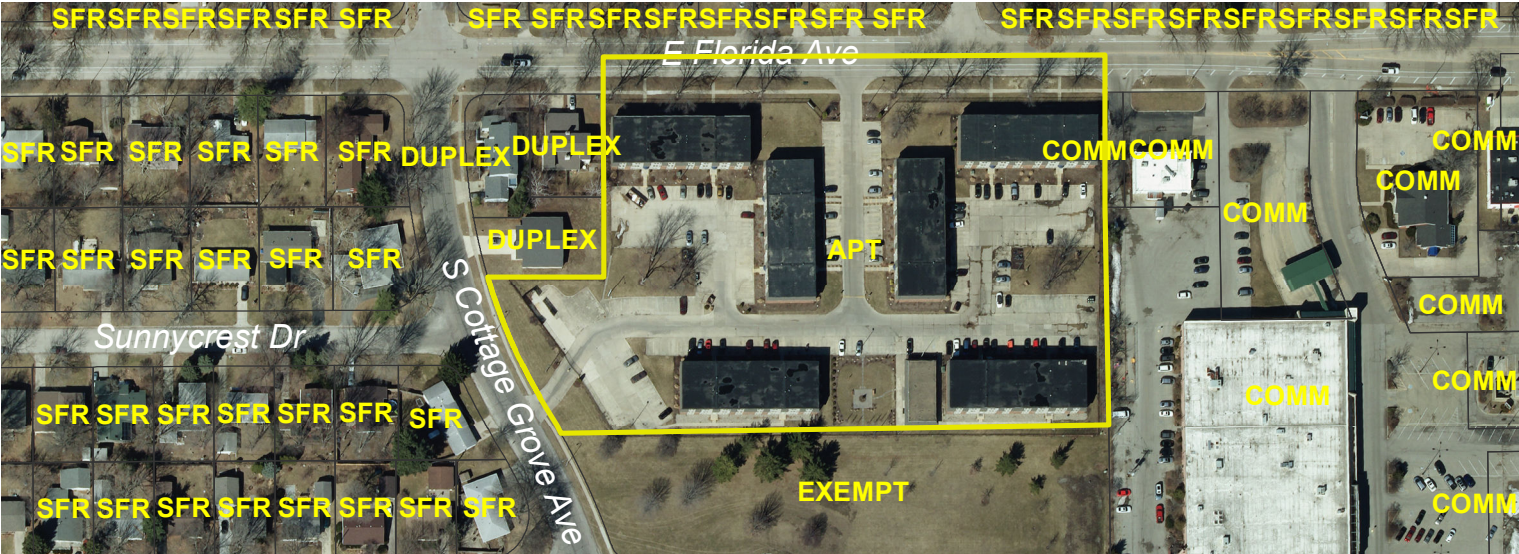


Exhibit F: 1107 East Florida Avenue
Location and Existing Land Use Map



Case: 2271-M-16
Subject: Rezoning from R-5, R-2, CRE to R-5
Location: 1107 East Florida Avenue
Petitioners: Urbana Zoning Administrator



Exhibit G: 501 East Windsor Road Location and Existing Land Use Map



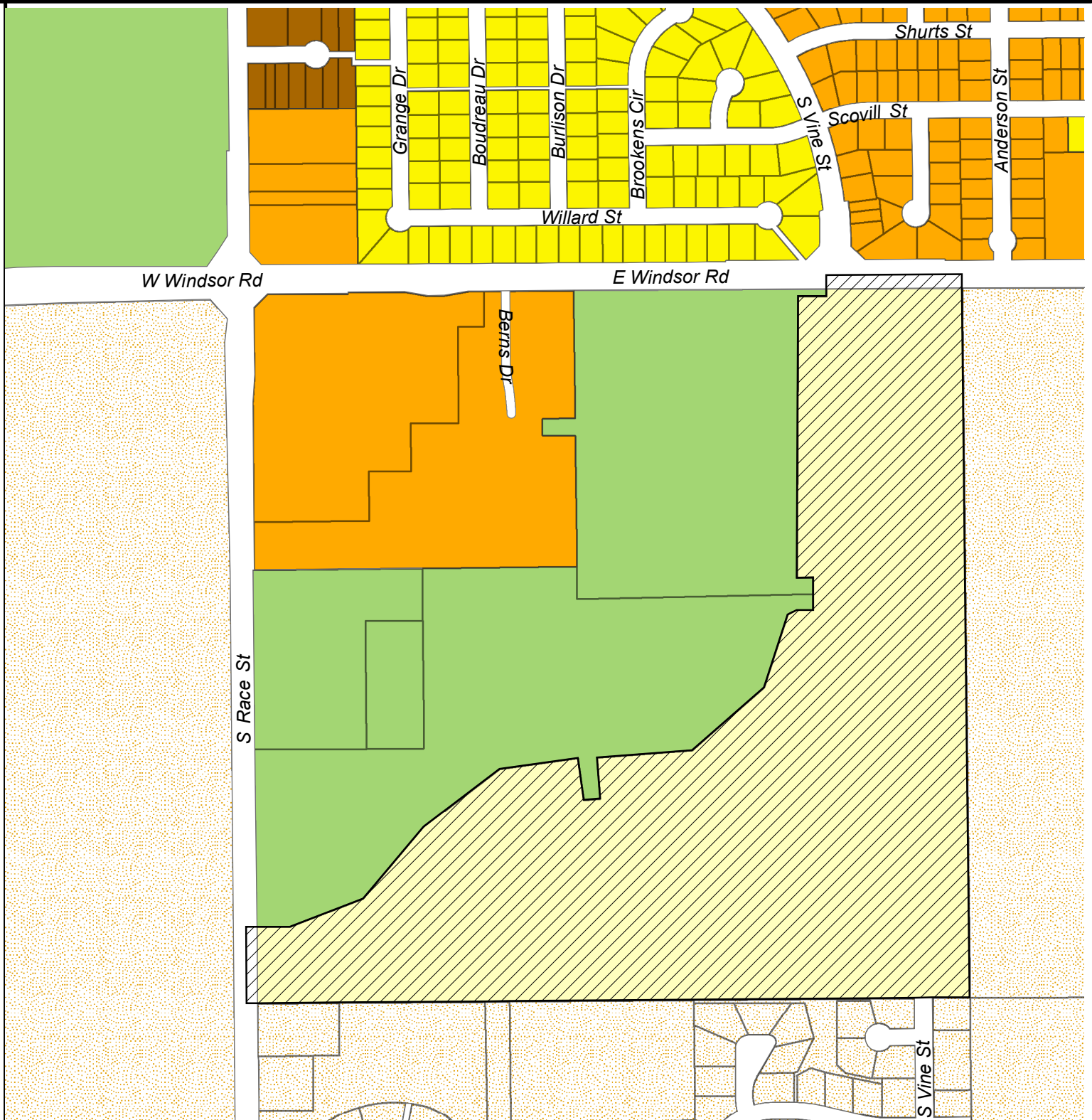
Case: 2271-M-16
Subject: Rezoning from R-1 to CRE
Location: 501 East Windsor Road
Petitioners: Urbana Zoning Administrator

0 75 150 300 450 Feet

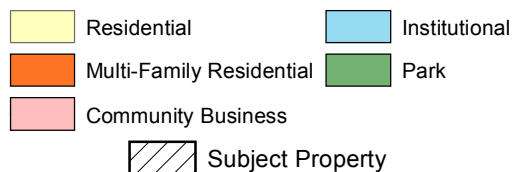
Subject Property



Exhibit G: 501 East Windsor Road Zoning Map



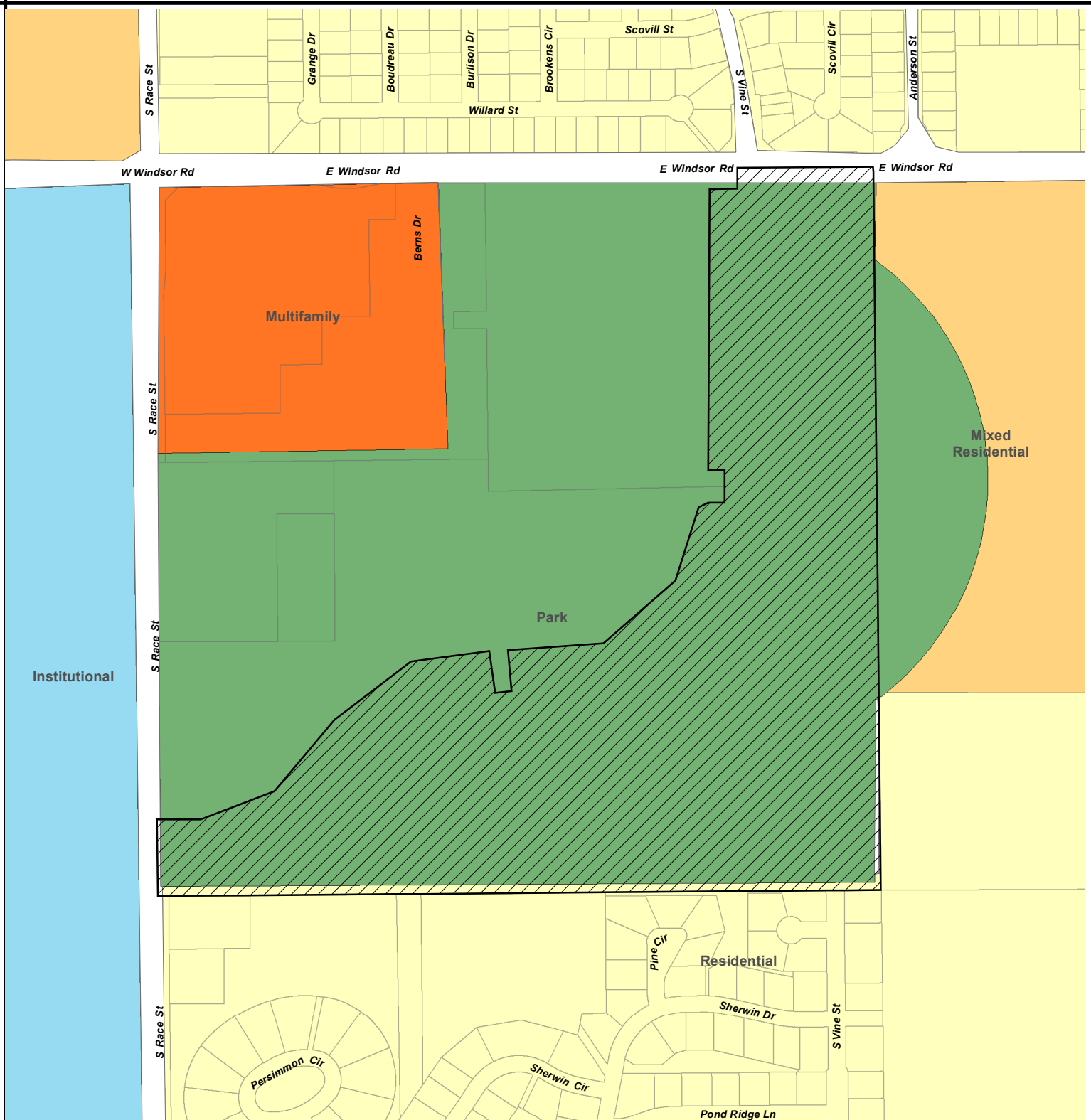
Case: 2271-M-16
 Subject: Rezoning from R-1 to CRE
 Location: 501 East Windsor Road
 Petitioners: Urbana Zoning Administrator



0 140 280 560 Feet



Exhibit G: 501 East Windsor Road Future Land Use Map



Case: 2271-M-16
 Subject: Rezoning from R-1 to CRE
 Location: 501 East Windsor Road
 Petitioners: Urbana Zoning Administrator

0 205 410 820 Feet

- | | |
|---|---|
| Residential | Institutional |
| Mixed Residential | Park |
| Multi-Family Residential | |
| Subject Property | |



Prepared 1/29/2016 by Community Development Services - Christopher Marx

Exhibit H: 1210 East University Avenue Location and Existing Land Use Map



Case: 2271-M-16
Subject: Rezoning from CRE to AG
Location: 1210 East University Avenue
Petitioners: Urbana Zoning Administrator

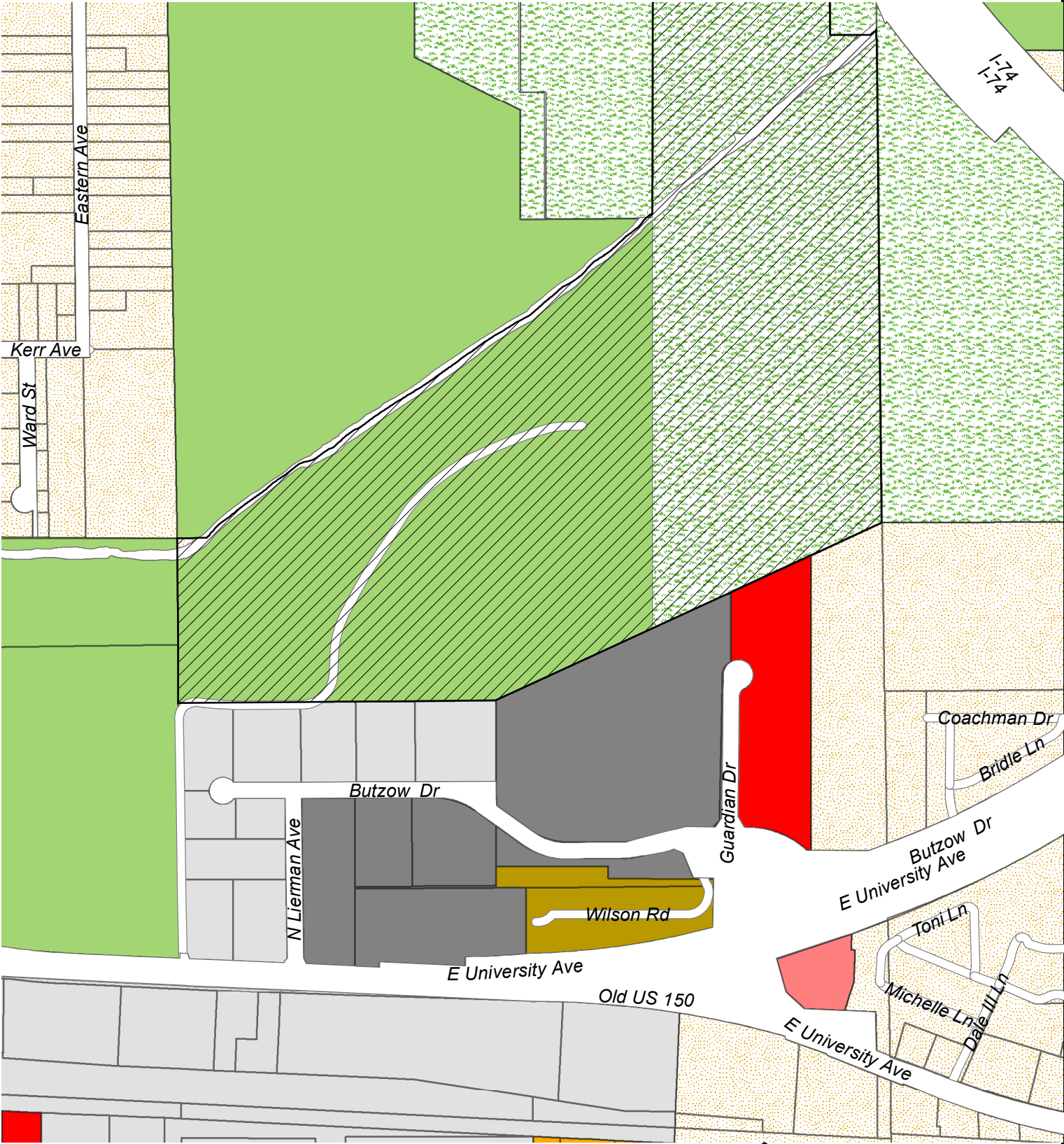
 Subject Property




0 375 750 1,500 Feet

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Exhibit H: 1210 East University Avenue Zoning Map



Case: 2271-M-16
Subject: Rezoning from CRE to AG
Location: 1210 East University Avenue
Petitioners: Urbana Zoning Administrator

 Subject Property

 AG

 B3

 ETJ

 IN-2

 R4

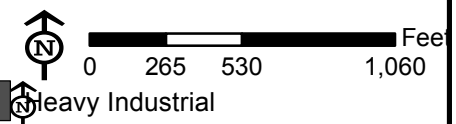
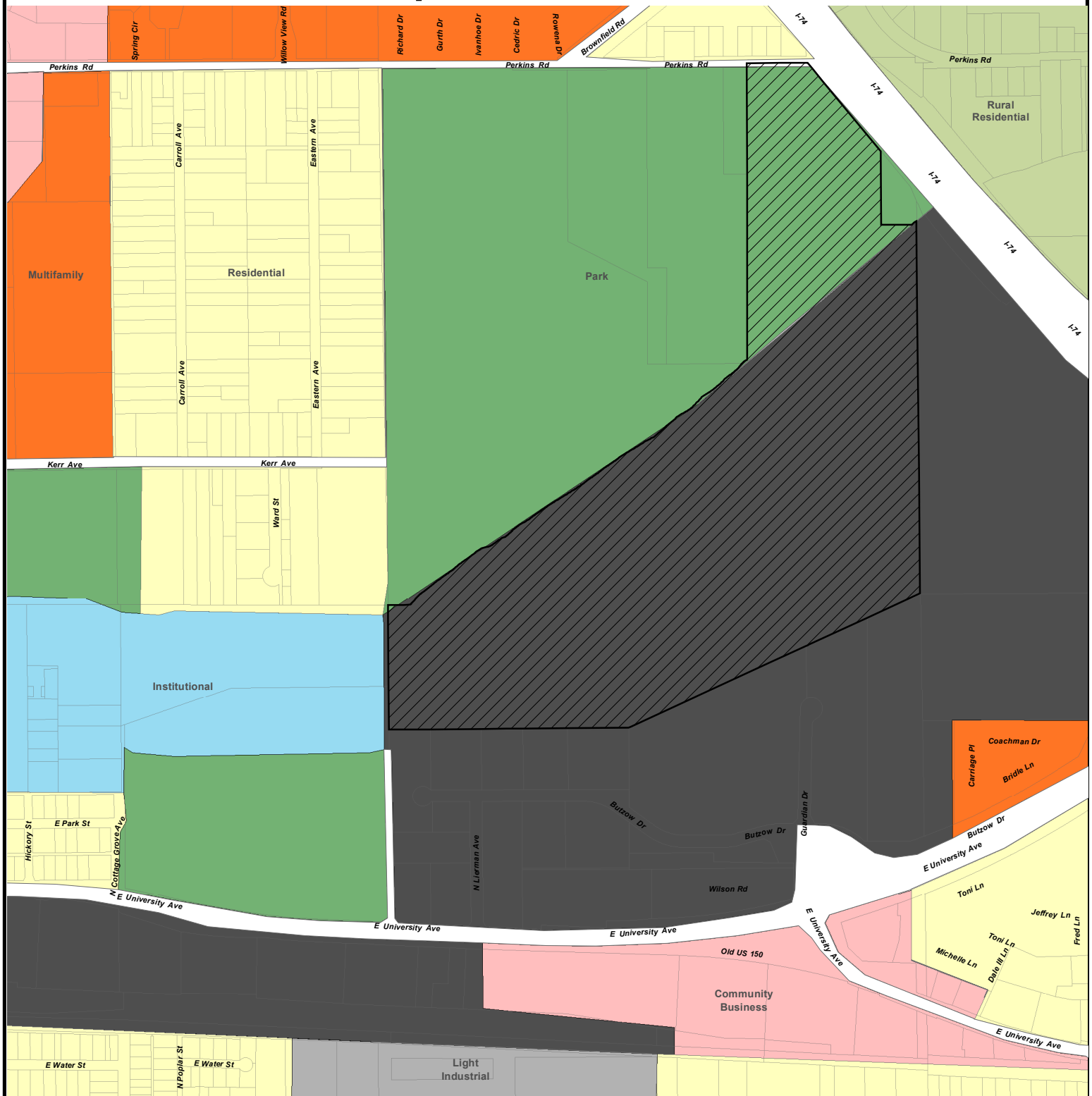
 B2

 CRE

 IN-1

 R3

Exhibit H: 1210 East University Avenue Future Land Use Map



Case: 2271-M-16
 Subject: Rezoning from CRE to AG
 Location: 1210 East University Avenue
 Petitioners: Urbana Zoning Administrator

- | | |
|--------------------------|-------------------------|
| Residential | Heavy Industrial |
| Rural Residential | Light Industrial/Office |
| Multi-Family Residential | Institutional |
| Community Business | Park |
| | Subject Property |

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